

**MEETING OF THE FORT LAUDERDALE
COMMUNITY REDEVELOPMENT AGENCY
8TH FLOOR CONFERENCE ROOM
CITY HALL**

WEDNESDAY, MAY 11, 2004

Mayor Naugle called the meeting to order at approximately 3:03 p.m. Roll was called and a quorum was present.

Present: Chairman Naugle
Commissioner Teel
Commissioner Trantalis
Commissioner Hutchinson
Commissioner Moore

Absent: None

Also Present: Acting City Manager
City Attorney
City Clerk

Minutes of the January 21, 2004 and February 10, 2004 Regular CRA Meetings

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the minutes of the January 21, 2004 and February 10, 2004 CRA Meetings. Roll call showed: YEAS: Commissioners Teel, Trantalis, Hutchinson, Moore and Chairman Naugle. NAYS: None.

Sistrunk Boulevard Façade Demonstration Initiative

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve a fund transfer of \$75,000 from General Façade and a transfer of \$120,000 from Business Incentives to Midtown Façade.

Commissioner Trantalis stated that this was where funds were matched with property owners in order to improve their facades. He clarified that this program was open to any landowner who happened to fall within the geographical area and met the parameters of the program.

Kim Jackson, Director CRA, stated that there were 2 parameters to be followed. She explained that if someone was on Sistrunk Boulevard they were entitled to a higher grant amount from the City than any where else within the District. She stated it amounted to \$20,000 if on Sistrunk Boulevard, and the City match outside was \$7500. She advised they were attempting to gear the majority of redevelopment on the Sistrunk Corridor.

Commissioner Trantalis asked if there was a waiting list for such funds. Ms. Jackson stated there were applicants in a queue.

Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Ms. Jackson asked if she could refer the Board to Exhibit C for clarification purposes. She stated that when putting this agenda item together, they noticed that in an older document there had been a typing error from years ago which stated that "within a targeted area the City grant amount was \$18,000..." but it should be \$20,000.

Children Services Council Request for Exemption of Debt Service Payment

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to deny the Children's Services Council request of exemption of its statutory obligation to annually appropriate and deposit to the CRA trust fund the amount of increment required by Part III, Chapter 163, Florida State Statutes.

Stan Brown, Chair CRA Advisory Board, stated that significant monies were involved.

Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Nuagle. NAYS: None.

Mayor Naugle stated that for the record the bonds had been sold on this and it would affect the revenue. He stated further it was rather late to be asking for this, and the request should have been made before it had been adopted.

Commissioner Trantalis stated they had probably exceeded their debt requirement cash flow, but he was concerned if this was granted to this organization, what prevented other organizations from making the same request and where would the City draw the line.

Public Realm Plan for the Downtown RAC and the Northwest RAC

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve appropriating 4513,066 from PED080104 and transfer said funds to P10820.331 towards the preparation of the Public Realm Plan for the Northwest RAC.

Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Status Report on the Northern Expansion of the CRA Boundary

Kim Jackson, Director CRA, stated that the memorandum was self-explanatory. She stated that a few months ago Commissioner Trantalis had appeared before the County Commission to discuss this item. She stated that she had copies of such minutes if the Board wanted to review them. She further stated that the County Commission had stated that their request for expansion of the CRA was not in question through their new Capital Improvement Program, but it was simply a supplement. She stated they had submitted the documents again, and had requested that the item be placed on their agenda. She advised that County staff had requested an interlocal agreement outlining specific projects, programs, and dollar amounts in connection with those for the purpose of having an interlocal pact which would identify TIF Fund amounts for the expansion. She explained it was not in compliance with what the Statute allowed, which was submittal of the plan in its entirety, and an open following of the plan for a 30-year period with no

specific tax increment cap. She stated it was now up to this Board as to how they wanted to proceed. She reiterated they had the same 3 options as they had previously which were:

1. Do nothing and not submit for the expansion.
2. Submit for denial or approval. (She stated this could not be done before they were being stopped before they even got there.)
3. Other forms of communication between this Board and the County Commissioners directly to have this placed on their agenda at some point.

Commissioner Trantalis stated that he felt they were being tossed back and forth between the County Commissioners and the City Administrator's Office in terms of what their ability was in regard to expanding the CRA boundary.

Commissioner Moore left the meeting at approximately 3:10 p.m. and returned at 3:12 p.m.

Commissioner Trantalis stated that at the meeting, the County Administrator on the record had indicated that they had no intention of trying to tie the City's hands in regard to expanding the boundary, and in fact would respect the opportunity that the Statute provided in expanding such boundary. They had further stated that the ordinance they were about to enact was supplemental, as opposed to substituting for the idea of expanding the CRA boundary. He explained that the ordinance which had been passed that day was one designed to undertake redevelopment which they contemplated would happen under different rules and different guidelines. He stated that basically one would go before the County Commission and request that the proposal be accepted, and that it was totally different from any type of redevelopment program that would be tied to tax increments and would fall under the normal CRA guidelines.

Commissioner Trantalis stated that he specifically remembered pointing out that what they were seeking was not necessarily to come under the new ordinance, but were seeking to expand their CRA boundary. He added that they might at some other point in time seek monies under the new ordinance, but that had not been the purpose of their presentation that day. He advised that the response he had received from the County Commission showed a clear understanding that they would have the opportunity to go back and make a presentation, have it placed on the agenda, and ask for the expansion of the CRA boundary without it being tied into anything that had recently been passed in terms of the redevelopment program they were now undertaking.

Commissioner Trantalis further stated that of the 3 options presented, he believed doing nothing was not an option. He felt that they needed to move forward and proposed they write a letter to each of the County Commissioners making them aware of the inconsistency that they were receiving from the County Administrator's Office. He reiterated that one thing had been said in the meeting, and another outside the meeting. He stated that either the County Administrator misunderstood them, which he believed was not the case, or he was trying to put a better face on the tactic they were using to employ to deny them the right to expand their CRA. He felt they needed to be pro-active, and the first thing they needed to do was to request that the County Commission put this on their agenda and give the City another opportunity to be heard. He stated they should present their proposal, show how it differed from their other redevelopment programs, show how staff had refused to accept the petition for the CRA expansion, and let them

say why one thing was said one day, and then refuse to accept their petition another day.

Commissioner Trantalis reiterated that he felt a pro-active approach was incumbent upon them at this time.

Commissioner Moore stated he would support that position, but from what he had seen of the County Manager's position on CRAs, and he had been working with him on this matter for 3 years, he felt he was saying one thing one time and another thing behind closed doors. He stated that would continue, but at least in this way they would see it coming from the Commission as to whether they were endorsing the double-talk or not. He urged the Board to send the letter, and stated he wanted to see what was going to be at the end of the tunnel.

Mayor Naugle stated they would request to be placed on the County Commission agenda. Commissioner Moore reiterated that it would be an expansion of their existing CRA.

Ms. Jackson stated it would be with the existing finding, necessity and plan.

Sistrunk Boulevard (NW/NE 6th Street) from Federal Highway to NW 24th Avenue
Transfer of Jurisdiction

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to recommend approval by the City Commission a road transfer agreement between the City of Fort Lauderdale and Broward County transferring jurisdiction of NE/NW 6th Street from the City Corporate Limits at NW 24 Avenue on the west to N. Federal Highway to the City of Fort Lauderdale.

Clare Vickery stated that she had spoken with County staff because she was also a concerned taxpayer. She stated that her taxes had been raised for improvements which were necessary, but she felt there was an opportunity to work with the new MPO Director. She stated there was a letter from that individual stating that she wanted to meet with Kim Jackson and other City staff to work on a program where the MPO could process a short and long range funding option for Sistrunk Boulevard. She advised that if they changed jurisdiction, they might not be able to get such funding agreements as she wished to pursue them. She stated that she was concerned by changing the jurisdiction would jeopardize the agreements. She stated that she had not seen any improvements on any of the local roads and there were limited monies available in the City.

Mayor Naugle clarified that she was stating that County monies were available to help with this corridor, but by making the change in jurisdiction, they would not be able to get such assistance. Ms. Vickery confirmed and stated that she would like to see a joint meeting between Ms. Jackson, Ms. Hollar and the Director of the MPO so some of the issues could be discussed, along with the implications of what were being proposed. She added that she also would like to participate in those discussions.

Commissioner Hutchinson asked if funding was available and asked for some input from the MPO representatives.

Commissioner Moore stated that they had two members as MPO representatives. He stated that whether it was a County connected street or a City street, they could guide them with funding as members of the MPO. He reiterated the road did not have to continue under County jurisdiction. He further stated they had worked with the County on a number of roadway projects, and everyone they did not control, they had received unnecessary burdens placed on them in order to meet their accomplishments to the citizens they were attempting to service. He stated for an example 19th Street would have cost more money than what was required, if the City had been in control. He stated the same applied to the Sistrunk Corridor. He further stated that the County had widened the roadway and tore down homes destroying the opportunity for a more main street and collective residential roadway that they were trying to do with the mixed-use zoning they had now developed for the Sistrunk Boulevard Corridor, especially for the southeast area where there was now the JPI project. He stated they needed control of that jurisdiction. He stated having to continue dealing with the County Commission, they often held important items over their heads because they had another issue. He further explained that was what they were going through now in regard to the zoning requirements.

Commissioner Moore continued stating that any time they could control things, it would be in their best interest.

Ms. Vickery stated there was a new MPO Director and she was very professional, but she was not telling her this. She stated that she had faith in her and had seen her work with other cities who had similar disjointed problems, and she had processed such problems very professionally. She asked that she wanted to see the same clarification. She reiterated there would be no impact to the City and it could be very beneficial. She stated that she felt this would be a worthwhile project.

Commissioner Moore stated that he hoped they would continue with staff's recommendation due to the past history. He stated that he appreciated the fact that they had brought a professional to the table, but they still had the same other bureaucrats and the same political system which had not changed. He stated the minor impact there would be financially, and the major impact it would have in controlling traffic in the Downtown and the redevelopment areas, was too profound. He stated that he had no problem working with someone new, but there could be a different person next year with an entirely different attitude. He felt they needed to gain control while they could.

Commissioner Trantalis clarified that the grants could still be tapped into with or without the County's jurisdiction over this area. Commissioner Moore confirmed and stated that was why the MPO was made up of municipal entities who discussed how the monies would be distributed. He stated the two Commissioners who sat on the MPO followed those monies very well.

Ms. Vickery stated that some grants would be available and some would not be. She stated the one she wanted processed would not be available.

Commissioner Trantalis stated that Ms. Vickery had stated that she felt very little progress had taken place on the subject corridor in the past. He stated if the County had jurisdiction over the area they would have been able to access the monies referred to,

but there were no results. He felt since the City had more of an interest, it would make more sense for the City to take over the jurisdiction and focus their attention.

Ms. Vickery stated that the Director clarified why the City had not received those monies previously, and she reiterated that the City was the required applicant for the funding, but the City had not submitted the paperwork for it. She stated that finally about 6 months ago City staff had submitted the request through Engineering. She further stated she would like to see that request through and wanted a relationship formed.

Commissioner Trantalis asked if staff had applied for the grants.

Ms. Jackson stated that the submission had been done back in 1998 or 1999, and explained there had been a pre-PD&E (Preliminary Project Development and Environmental). She explained that was when the City had hired Kimley-Horn to do the PD&E which was the necessary document needed to access additional funding. She stated that part of the study had included the determination of Sistrunk, Andrews and Third traffic patterns. She further stated it was on the MPO list Ms. Vickery referred to, and they had made a conscious decision at one point to pull the Sistrunk Boulevard portion of it out of the PD&E to bond with TIF monies and move forward with the corridor because it ran through the middle of the district. She added they also knew that jurisdiction and the traffic way plan were two separate distinct items. Today, the majority she was hearing discussed was the fact that the street sat on the Broward County traffic way plan at a certain width. She explained that this agenda item had more to do with jurisdiction.

Ms. Jackson further stated that it had been submitted, Sistrunk had been eliminated, and they had bonded to specifically fund such improvements, but they stated they would continue with the Andrews and Third Avenues for the MPO funding list. She explained the problem there was that the City and the County had a discrepancy over what the street should consist of. She stated that the County was insisting because of their roadway parameters that it be a two one-way pairs. The City did not agree. She advised this had been put back on the system, but in the meantime, they had contracted with tri-party agreement with the DDA with Barry Goodman to leverage additional funds for the Sistrunk Corridor. She stated that the process for the PD&E would continue, but there is another substantial amount of money needed to do the PD&E. She announced that would be the next step. She advised that neither the CRA nor the City had identified the funding for such documentation. She stated they were discussing the matter at staff level. She stated that at this point in time, it appeared that the plan was well-rounded. She continued stating that the Sistrunk Corridor was proceeding funded through the TIF dollars and a portion coming from the Goodman study, along with the Andrews/Third which still needed a lot of work. She advised that there was probably more support for Andrews/Third out of the County jurisdiction. She stated that as long as it remained there, the odds of anything happening were slim.

Mr. Bentley stated they would present the resolution to the City Commission at their May 18, 2004 meeting.

Commissioner Moore left the meeting at approximately 3:27 p.m.

Mr. Bentley continued stating that staff could meet with the Director of the MPO and provide an update at that meeting also.

Ms. Vickery stated that would be fair and she would like to see that relationship develop. Mayor Naugle stated that was an excellent idea.

Stan Brown, Chair CRA Advisory Board, stated that they had begun this process about 3 years ago with the County Commission. He further stated that he had attended many meetings where City staff had attempted to figure out a way to “shoe on” this road inside the requirements for the County for it to happen. He stated that from a Board position, the only way to unlock this, and he advised that they were light years behind their schedule at this point, regarding these roads going in and playing their proper roles in the redevelopment of the area was to approve this change. He stated they were advocates of gathering every dollar possible for their projects, but the contrast was to spend a significant period of time if this was not approved.

Commissioner Moore returned to the meeting at approximately 3:29 p.m.

Ms. Jackson clarified that the difference between the jurisdiction item and the traffic way items, was that the MPO and the traffic way plan, along with the process used to remove the street from that plan, had nothing to do with jurisdiction. She explained that jurisdiction was the ownership of the road and that was the key. She reiterated that as long as the County owned the road, then the County would control and dictate what happened to it. Removing it from the traffic way plan, simply states what would happen on the road. Now, it was dedicated as an 80’ collector, and they had designed over the last year a 70’ roadway design. They were simply attempting to change the design. She stressed that these were two distinctly different items. She stated that they wanted to focus mainly on the jurisdiction.

Commissioner Moore stated that this was a process which they had gone through for a number of years. He further stated that other opportunities may pop up, but based upon the course of action needed in order to deliver the quality of housing and redevelopment needed, this needed to be done.

Mayor Naugle stated that before the resolution was presented, the City would check out the funding opportunities with the County.

Commissioner Moore stressed that he did not want to be “teased by a drop of money” from the County, and lose the authority to develop the community the way they wanted it. He stated that the County was an entity that was not even sure of what it wanted to be. He stated he wanted to give a quality product to the taxpayers and the members of the CRA boundary, and having the jurisdiction was what was needed to be done.

Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to recommend approval by the City Commission for the City of Fort Lauderdale to submit to the Broward County Planning Council:

- (a) An application to amend the Broward County Trafficways Plan, and request by Resolution that the current 80’ requirement on the Trafficways

Plan for that portion of NE 6th Street from Andrews Avenue to Federal Highway, be reduced to 70'.

- (b) Request that the Broward County Planning Council sponsor said amendment thereby waiving the application fee.

Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Action: Resolution to be presented at the next City Commission meeting.

Project Development Term Sheet Between the CRA and Deangelo Development Inc. and Between the CRA and CCBD/Broward Barron

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve entering into development agreements between the CRA and Deangelo Development Inc. and between the CRA and CCBD/Broward Barron for the Dorsey Phase II Infill Home Project. Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Broward County 2000 Land Preservation Bond Program – OS-2 Flagler Heights Park

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve proceeding to secure price agreements for the purchase of properties that comprise OS-22 Flagler Heights Park using the Urban Group. Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, Teel and Chairman Naugle. NAYS: None.

Director's Report

Kim Jackson, Director CRA, stated that they had issued RFPs in the past and had gone through the CC&A process, and have on contract an engineering firm if necessary. She reiterated that the CRA had lost their engineer, and while the City was also going through internal changes, they were getting great support from the City's Engineering staff even though they were also short-staffed. She stated they did not have a specific task order, but she wanted to confirm with the Board that they had the ability to go out and contract with the engineers. The By-Laws stated that they could go up to \$25,000 on a task order basis. She explained that the City Attorney would review the task order, and the Acting City Manager would then sign it. She advised that she might be returning before this Board because she did not know if they would be able to stay within the parameters of the \$25,000. She advised they had about \$12 Million of infrastructure improvements that would be coming out of the ground and engineering oversight would be needed. She stated they were attempting to recruit.

Commissioner Moore stated there were two issues which were a part of this agenda that he was glad had come to a vote, but he felt the reason for the delay was Legal having the time to concentrate on such matters. He stated that he wanted the Director of the CRA to return before this Board at the next meeting with options as to how they could outsource legal reviews for the CRA. He asked if the Director and City Attorney could meet and discuss this issue. He further stated that monies could be saved by possible outsourcing.

There being no further business to come before this Board, the meeting was adjourned at 3:35 p.m.